

FAQ's - General Unemployment Insurance Questions

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Answers:

1. Am I required to actively seek work as a partial claimant?
 - Generally no because you are working for your regular employer. You are required to work all hours the employer offers you during each week claimed. If you are offered no work but Friday, you are required to file a total claim, register with Workforce Services, and make an active search for work during Friday and Saturday. An active search means contacting several employers. The Workforce Services Specialist will advise you of this requirement when you file your claim.

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2. Are my benefits taxable?
 - Benefits are subject to federal income tax. At your request, we will withhold federal tax from your unemployment benefits. You will be mailed a statement, Form 1099-G, of benefits paid to you during the year. It is your responsibility to keep us informed of any changes in your address and to include unemployment benefits received on your annual tax return and pay the tax due. Benefits you received that are determined to be overpaid and are repaid may be deductible. Contact the Internal Revenue Service or your tax advisor.

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3. Are partial benefits different than regular unemployment benefits?
 - Yes. Your employer will be sent a notice that you have filed a claim for partial benefits and your weekly benefit amount. During any week you earn less than your weekly benefit amount because of a lack of work, your employer is required to give you a Statement of Partial Unemployment stating your wages for the week. In order to obtain your partial benefits, you must enter the name(s) of other employer(s) for which you worked during the week, the gross wages earned from each, sign the form and return it to the VEC Benefit Payment/Charge Unit, P.O. Box 1779, Richmond, VA 23218 within 14 days of the date the employer gives it to you.

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4. Are resumes acceptable job contacts?
 - Yes, if that is the employer's requirement. You must report the name(s) and addresses of the employer(s) to which you submitted the resume.

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5. Are the weekly eligibility requirements different for partial claimants?
 - Yes. You must work all available hours. You must not miss work to report on your claim. If you do not work all hours offered to you, you may be held ineligible for benefits. You must report all earnings from your regular employer and from any other employers for

which you worked during each week claimed. You must report any offers of employment. By Friday of any week in which you had zero earnings because no work was offered to you by your partial employer, you are required to: file a total claim on line at www.vec.virginia.gov [1] or by phone by calling 1-866-832-2363, register for employment services on the [Virginia Workforce Connection](#) [2], and conduct an active

[Back to top](#) search for work during that Friday and Saturday.

6. Are unemployment benefits or taxes deducted from my pay?

- No. Benefits are funded through taxes on employers covered by the Virginia

[Back to top](#) Unemployment Compensation Act. No part of the cost is deducted from your earnings.

7. Can I file my claim over the telephone?

- Yes. Claims for benefits and inquiries are taken at the VEC Customer Contact Centers (1-866-832-2363). Requests for weekly payment of benefits and claim status questions

[Back to top](#) are made through the VEC Voice Response System (1-800-897-5630).

8. Can I receive unemployment benefits if I am out of work under the Family Medical Leave Act?

- There is no provision in the current unemployment law allowing payment of benefits under the circumstance you describe. The General Assembly must pass a bill that is signed into law by the governor that would allow the payment of benefits under this

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9. Can a claimant or staff person apply for unemployment compensation benefits prior to becoming unemployed?

- The guidance provided in the Regulations and General Rules Affecting Unemployment Compensation, published May 1, 2003, provides the following: To file a claim for benefits, a claimant shall report in a manner prescribed by the commission, and shall file a claim for benefits setting forth (i) his unemployment and that he claims benefits, (ii) that he is able to work and is available for work, and (iii) such other information as is required. Under section 60.2-100 of the VA Unemployment Compensation Act- Case Notes (page 6): The primary purpose of the Act is to provide temporary financial assistance to workmen who become unemployed through no fault of their own. Under section 60.2-612 - Benefit eligibility conditions: An unemployed individual shall be eligible to receive benefits for any week only if the Commission finds that: 1-11 eligibility criteria are met. Having noted these, if anyone chooses to file for unemployment benefits, the system will accept the claim. However, claims will be adjudicated and eligibility determined on a case by case basis, according to the Act, regulations and

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10. Does Virginia require a non-payable first week?

- Yes. The first week you meet all eligibility requirements is called a "Waiting Period" and you are not paid benefits for that week. The non-payment of this week does not reduce

[Back to top](#) your maximum benefit amount.

11. Generally, what do I have to do to meet the weekly eligibility requirements?

- Each week you claim benefits, you must be able to perform work, be available for work while placing no undue restrictions on your availability, and be actively seeking work. In addition, you must accept all offers of suitable work, be registered for work with a VEC Workforce Center, accept any VEC referrals to work, report to the VEC when directed to

[Back to top](#) so, and report your income from any source.

12. How are my benefits computed?

- In order to qualify for benefits, you must have earned enough wages in covered employment during the base period. The amount of wages you earned will determine your Weekly Benefit Amount and the maximum number of weeks (12 to 26) to which you will be entitled. You will be issued a Monetary Determination that contains your base

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13. How are the facts about my separation obtained?

- You give the reason for your separation when you file your claim. This information along with a questionnaire is sent to your former employer for completion. If your separation is other than a lack of work, it will be necessary for a deputy (sometimes referred to as a hearing officer) to talk with you either in person or by telephone about your separation from work. Your employer may request to participate in the interview, or he may provide additional information in writing or by telephone. You have the right to review and comment on any information provided by your employer. The deputy will make a decision whether you are eligible to receive benefits. This decision will be contained in a

[Back to top](#) "Notice of Deputy's Determination" which will be sent to you and your employer.

14. How can I get information on the status of my claim?

- You can obtain this information through the Voice Response System (1-800-897-5630). Listen to the menu, and select "Claims and Benefits" (option 1), and enter your Social

[Back to top](#) Security number and PIN.

15. How do I file for unemployment (UI) benefits?

- A claim may be filed online by going www.vec.virginia.gov [3], select "Unemployed", and then click on "Unemployed: File a Claim Online", by telephone at 1-866-832-2363, or by completing a paper application at the [Virginia Employment Commission \(VEC\) Local Office](#) [4] nearest you.

Due to the current high call volume coming into the VEC Customer Contact Centers, filing online may save you considerable time and effort.

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16. How do I file weekly requests for payment of benefits?

- You will call the Voice Response System (VRS) after the week you wish to claim ends. The toll free number is 1-800-897-5630. Using a touch tone phone you will answer the following questions. 1. To file your weekly claim for benefits, press 2. 2. Enter your Social Security number. 3. Enter your PIN. 4. Were you able to and available for work during the week? 5. Were you actively seeking work during the week? 6. Enter the number of contacts you made for work followed by the # key. 7. If you made contacts for work, you will be asked to say the names of the employers you contacted for work. 8. Did you refuse any work or any offers of work during the week? 9. Did you fail to obtain work due to a positive drug test? 10. Did you enter or discontinue school or training? 11. Did you begin receiving or change the amount of any type of pension (including disability pensions) during the week? 12. Did you receive holiday, vacation, or Workman's Compensation during the week? 13. Did you begin receiving or change the amount of any severance pay during the week? 14. Did you do any work, including

self-employment, during the week? If you answer yes to this question, you will be asked to enter the amount you earned before any deductions were made in dollars and cents followed by the # key. 15. During the week, did you return to full-time employment? If you answer yes to this question, then you will be asked to enter the date you started working. It is important that you stay on the line until the VRS tells you it is okay to hang

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17. How do I repay an overpayment?

- Repayment must be made in full. If you are unable to repay the full amount in one payment, you must immediately contact the Benefit Payment Control Unit at (804) 786-8593 to arrange a repayment installment plan. Repayment of an overpayment may affect the amount of benefits on which you are required to pay taxes. Consult the

[Back to top](#) Internal Revenue Service or your tax advisor for further instructions.

18. How much can I earn and still receive benefits?

- You must report any gross wages, not net wages, during the week they are earned, not paid. If the gross, not net, wages you earn are less than your weekly benefit amount, you may receive unemployment benefits. However, the amount of gross wages that are more than \$50.00 will be deducted from your weekly benefit amount. If your gross weekly wages are equal to or more than your weekly benefit amount, you will not be

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19. How much do I need to have earned to qualify?

- To qualify for benefits, an individual must have earned at least a total of \$2,700 in two quarters in the base period.

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20. How much in benefits do I get and for how long?

- Your monetary determination will show the Amount and Duration of Benefits you are entitled to based on your [base period](#) [5] wages. Your Weekly Benefit Amount is determined by the two quarters with the highest earnings during the base period. Total wages reported during the base period determine your maximum benefit amount. Once your claim is established and reflects all earnings during your base period, the amount you qualify for remains the same for one year and is available to you until your maximum benefit amount or your benefit year is exhausted, whichever comes first.

Currently the maximum weekly benefit amount is \$378 and the minimum is \$54.

Individuals must have earned at least \$18,900.01 in two quarters during the base period to qualify for the maximum weekly benefit amount. Benefit duration varies from 12 to 26 weeks, also depending on wages earned in the base period.

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21. If I am a member of a union, what are my work search requirements?

- If you are a member of a union that has a local hiring hall that solicits work on your behalf, you may be required to seek work only through the union hiring hall. You need to inform the Workforce Services Specialist of your union affiliation and its services when

[Back to top](#) file your claim.

22. If I file my claim and decide not to claim benefits, can my claim be canceled?
- If you wish to cancel your claim and not claim benefits, your cancellation request must be made in writing within 30 days of the date your claim is filed. The final date for cancellation is the same as the final date of appeal on the monetary determination form. Your claim cannot be canceled if you have been paid benefits, or if a deputy has issued a determination on your claim, even though your cancellation request is made before the final date for appeal.
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23. If I qualify monetarily, is there anything that will prevent me from drawing the benefits?
- Yes. In addition to qualifying monetarily, you must also qualify based on your separation. If you are unemployed for any reason other than lack of work, it will be necessary to gather facts concerning your separation from employment and make a decision as to whether or not it qualifies you to receive benefits. If the decision is in your favor, you must also meet weekly eligibility requirements before you can receive benefits. For further information on weekly eligibility, see the “Weekly Eligibility Requirements” listed in Your Unemployment Rights and Responsibilities found on the UI website.
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24. If I receive a letter or phone call to report to or call the VEC Workforce Center, what should I do?
- Report to or call the office when scheduled. If you do not, you may not be paid unemployment benefits for that week. If you are unable to report or call for any reason, you should call ahead of the scheduled time and explain the circumstances.
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25. If I relocate to follow my spouse, is that a qualifying separation?
- Virginia law specifies that any individual who voluntarily leaves his/her employment to accompany or join a spouse in a new locality be disqualified for benefits. In enacting this provision, the General Assembly determined employers should not be liable for unemployment insurance benefits to former employees in this type of situation. As there is no intent in the provision to address the merits of a relocation to follow a spouse in applying the disqualification provision, the law makes no distinction between military reassignment, corporate transfers, or any other circumstances that motivate such a move.
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26. Is anybody going to check or verify my job contacts?
- Yes. All job contacts are subject to verification. You are required to maintain a record of your work search that includes the date of contact, complete name, address and telephone number of the employer/company contacted, name of the individual with whom you spoke, type of work sought, and result of contact. The VEC conducts a quality assurance program that verifies job contacts and wages with employers. If your information concerning any job contact is false, you can be disqualified from receiving unemployment benefits for one year and thereafter if the falsely claimed benefits are not repaid in full.
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27. May I use wages earned in other states to establish a claim?
- Yes. Wages earned in other states can be used to establish a claim in one of two ways.
 1. You file a claim against the other state if you have earned enough wages in that state to qualify for benefits. This is called an Interstate Claim. Or,
 2. You request that the wages earned in other states be transferred to Virginia and “combined” with your Virginia wages to qualify for benefits. Be sure to tell the Workforce Services Specialist if you worked in another state. Only those out-of-state wages that have not been used on

a prior claim will transfer to Virginia. Wages earned overseas also may be used if you worked for a U.S. company. The state where the company is headquartered is the state to which the wages are reported.

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28. New Hire Reporting

- This is done through the Department of Social Services.

The new hire address to report to:

New Hire Reporting Center:

P.O. Box 25309

Richmond, VA 23260-5309

Information line: 1-804-771-9733

Information toll free line: 1-800-979-9014

Fax line: 1-804-771-9709

Toll free fax line: 1-800-688-2680

Web site: <http://www.va-newhire.com> [6]

[Back to top](#) Employers can call the information line to get a packet of information sent out to them.

29. Required Employer Posters

- The list of posters is available on this website on the Forms / Publications page under the Employer tab.

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30. What about newspaper ads?

- Checking newspaper want ads alone, without contacting an employer, is not an acceptable job contact. Additionally, because the Virginia Unemployment Compensation Act requires that you provide the name of the employers you contact for work, blind ads are not accepted.

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31. What happens if I refuse a job offer or a VEC referral?

- If you refuse a job offer, you will be contacted by the VEC to provide additional information. A Deputy will then determine if the work offered was suitable, or if you had good cause for refusing it. If the job was suitable and you did not have good cause for refusing it, you may be disqualified from receiving future benefits. If you fail, without good cause, to apply for suitable work when referred by the VEC or accept suitable work when offered, you may be disqualified starting with the first day of the week in which such refusal occurred. The Deputy determines whether a job offer or referral is for

[Back to top](#) suitable work.

32. What if I attend school or a training program?

- Be sure you report any classes you are taking during weeks claimed. You may receive benefits while attending school, depending upon the course of study and the required attendance each week. If you desire to attend school or a training program to improve your employment possibilities, you need to request approval in advance through your VEC Customer Contact Center. The VEC will determine if your training will be approved and advise you about your work search requirements while you are in school or a

[Back to top](#) training program.

33. What if I believe I have been discriminated against?

- The VEC is prohibited from discriminating on the ground of race, color, religion, sex, national origin, age, disability, political affiliation or belief. If you think you have been subject to discrimination, you may file a complaint within 180 days from the date the alleged violation with the VEC's Equal Opportunity Officer, P.O. Box 1358, Room 101, Richmond, VA 23218, or you may file a complaint directly with the Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue, N.W., Room N-4123, Washington, D.C. 20210. If you elect to file your complaint with the VEC, you must wait until the VEC issues a decision or until 90 days have passed, whichever is sooner, before filing with the CRC. If the VEC has not provided you with a written decision within 90 days of filing the complaint, you need not wait for a decision to be issued, but may file a complaint with CRC within 30 days of the expiration of the 90-day period. If you are dissatisfied with the VEC's resolution of your complaint, you may file a complaint with CRC. Such complaint must be filed within 30 days of the date you received notice of the VEC's proposed resolution.

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34. What if I don't have sufficient wages in my base period to qualify monetarily?

- You may qualify under the alternate base period. Effective July 6, 2003, claimants not qualifying for benefits under the standard base period may do so under an alternate base period consisting of the last four completed quarters. Claimants who did not earn sufficient wages during the first four of the last five completed calendar quarters may have earned the necessary amount during the alternate period. The minimum qualifying amount is the same for both periods. Claimants do not get to choose which base period they wish to use. The alternate is used only if you cannot qualify with the standard base period.

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35. What if I don't make job contacts during a week?

- If you do not make any or only one job contact during a week you wish to claim, you may

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36. What if I fail to repay the overpayment?

- If the overpayment is not repaid in full before you claim future benefits, a deduction (offset) will be made from these benefits. The VEC will also use other methods to collect the money owed, including collection agencies, credit bureaus, wage garnishment, attachment of bank accounts, and seizing of income tax refunds. The costs of collection, including administrative costs, attorney's fees, late penalty, and interest can be charged to you.

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37. What if I have a complaint that is not based on discrimination?

- If you have a complaint about the service you receive which cannot be resolved by your service point, you may contact the Customer Service Unit, Virginia Employment Commission, P.O. 1358, Richmond, VA 23218-1358, 1-866-832-2363. Hearing impaired persons may call 1-(800) 828-1120.

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38. What if I have a lengthy period of unemployment?

- As the length of unemployment increases, you are expected to expand your methods of seeking work. You should be willing to include other occupations for which you are

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39. What if I live outside the state of Virginia? Am I required to come to Virginia to register with the VEC?

- No. You are required to register for job services with a Workforce Center that is convenient to you. You are required to actively seek work each week that you claim benefits. You must accept all offers of suitable work and report your income from any source. You must accept any referrals to suitable work from your local Workforce Center.

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40. What if I make a false statement on my claim? What if I make a mistake?

- If you knowingly make a false statement or misrepresentation, or have knowingly failed to disclose a material fact, to obtain or increase benefits you may be subject a fine and/or imprisonment and be prevented from receiving future benefits for 52 weeks. In addition, you will be required to repay any benefits that you were not entitled to receive. Claims are periodically reviewed to make sure benefits have been properly paid. If you make a mistake when filing your weekly claim for benefits, call the VEC Customer

[Back to top](#) Contact Center at 1-866-832-2363 as soon as possible.

41. What if I need a special aid or service?

[Back to top](#) Auxiliary aids and services are available upon request to individuals with disabilities.

42. What if I receive a pension, retirement, social security, etc?

- Your benefits may be reduced by the weekly amount of any pension, retirement pay, annuity, Worker's Compensation, or other similar periodic payment that you receive from your most recent employer of 30 days or 240 hours or more, or from any employer in the base period of your claim. You will be asked to provide the amount and source of any of these payments when you file your claim. Failure to report changes in your payment amount, such as cost-of-living increases, when you file your weekly request for payment of benefits may result in an overpayment of benefits that you will be liable to repay. ** Note: Beginning with the week ending July 9, 2011, social security pension/benefits will no longer result in a reduction of unemployment insurance benefits.

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43. What if I receive severance pay, vacation pay, or holiday pay?

- Severance, vacation, holiday pay that you receive may be deducted from your weekly benefit amount in the same manner as actual earnings for any week in which it is payable. You will be notified if these benefits or pay affect your claim.

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44. What if I return to full-time work?

- You must report your return to work when you file your weekly request for payment of benefits for the week in which you returned to work. Report the date you returned to work and, if you have already started work, report your earnings before deductions. Be sure to advise us of your earnings, even if your employer does not pay you right away, or you may receive benefits that you will have to repay. You may be eligible for reduced benefits the first week you return to work depending on how much you earn.

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45. What if I'm working but my hours have been reduced?

- You may be eligible for partial benefits. A partially unemployed person is one who,

during a calendar week, was employed by a regular employer and had earnings that were less than his weekly benefit amount, and who worked less than his normal customary full-time hours because of a lack of work.

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46. What if I'm working part-time? Am I still required to actively seek work?

- Yes. If you are working part-time and earn less than your weekly benefit amount, you are required to actively seek work and report your job contacts when filing your weekly request for payment of benefits. If you earn more than your weekly benefit amount, you are considered employed for unemployment insurance purposes and do not have to seek work with employers.

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47. What if my base period wages are incorrect?

- This may occur because an employer for whom you worked during the base period is omitted, some base period wages were omitted, or the wage amount is incorrect. It may also occur an employer for whom you did not work is listed. You must request a redetermination through your VEC Customer Contact Center by calling 1-866-832-2363. If an employer or wages were omitted or incorrect, you must provide the name and address of the employer involved and some evidence of your earnings, such as W-2 or pay check stubs. Once your new wages have been validated, your weekly benefit amount will be adjusted to reflect the correct wages and you will be mailed a check to cover any amount due you for the weeks of benefits already paid.

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48. What if my employer won't give me the Statement of Partial Unemployment?

- It is your responsibility to obtain the form from your employer. If you are a partially employed person during a week and your employer does not give you a Statement of Partial Unemployment, you must contact the VEC Customer Contact Center at

[Back to top](#) 1-866-832-2363 by Friday of that week.

49. What if my wages are correct but insufficient to qualify under the alternate base period?

- If you worked only during the last six months or so, you may qualify monetarily after the quarter changes and should file another claim next April, July, October, or January as appropriate, if you are still unemployed.

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50. What if the VEC Workforce Center refers me to a job?

- If you are referred to a job by the VEC Workforce Center, you must visit the employer to which you are referred. You may count the referral as one of your required job contacts for the week if you visit the employer to which you were referred.

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51. What if there is a question on my weekly eligibility?

- You will be notified to report to or call the VEC Workforce Center for an interview. If you are held ineligible for benefits, you will receive a Notice of Deputy's Determination explaining why. If you disagree with the determination, you must file your appeal by the date shown on the notice. Refer to the section "Appeals Frequently Asked Questions" for additional information. It is very important that you continue to actively seek work and file your weekly claims on time while the appeal is pending. Failure to do so may result in denial of benefits.

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52. What information is required to file a claim for benefits?

- You will be required to provide your Social Security number, address and telephone number, your most recent employer's name, address and telephone number, the reason you are no longer employed. In some cases, you will be required to provide information concerning previous employers. You will be asked to provide certain information that is required for statistical purposes. If you file your claim through the VEC Workforce Center, you will be required to present proof of your Social Security number. If you were employed by the Federal government as a civilian during the last 18 months, you will be required to present your SF50. If you were in the military during the last 18 months, you will be required to present your DD214.

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53. What service is available to me if I am hearing impaired?

- The Virginia Relay Center (VRC) provides telecommunications relay services to the Commonwealth of Virginia. Text telephone (TTY) or Telecommunications for the Deaf (TDD) users can access the VRC by calling 711.

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54. What types of reemployment services are offered?

- Reemployment services may include the following: an orientation session advising you of the availability and benefit of reemployment services; and individual assessment of your needs with which an individually tailored reemployment services plan can be developed; and job search assistance, such as counseling, testing, occupational and labor market information, job search workshops, job clubs, referrals to employers, and other similar services.

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55. Why would I be disqualified from receiving benefits because of my separation from employment?

- You will be disqualified from receiving benefits based on your separation if the Deputy finds that you quit your job without good cause, or that you were fired from your job for misconduct in connection with your work.

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Source URL: <http://www.vec.virginia.gov:80/faqs/general-unemployment-insurance-questions>

Links:

- [1] <http://www.vec.virginia.gov>
- [2] <http://www.vec.virginia.gov:80/virginia-workforce-connection#employer>
- [3] <http://www.vec.virginia.gov>
- [4] http://www.vec.virginia.gov:80/vecportal/field/field_offices.cfm
- [5] <http://www.vec.virginia.gov:80/unemployed/benefits-information/base-period>

[6] <http://www.va-newhire.com>